

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

Daniel C.,)	
)	
Plaintiff,)	Case No. 5:17-cv-00074
v.)	
)	
NANCY A. BERRYHILL,)	
Acting Commissioner of Social)	
Security,)	By: Michael F. Urbanski
)	Chief United States District Judge
Defendant.)	

ORDER

This matter was referred to the Honorable Joel C. Hoppe, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The magistrate judge filed a report and recommendations on December 28, 2018, recommending that the plaintiff's motion for summary judgment be granted, the Commissioner's motion for summary judgment be denied, and the case be remanded for further consideration by the Administrative Law Judge. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendations should be adopted in its entirety.

As such, it is hereby **ORDERED** that:

1. The report and recommendation as amended (ECF No. 27) is **ADOPTED** in its entirety;
2. Plaintiff's motion for summary judgment (ECF No. 14) is **GRANTED**;
3. Defendant's motion for summary judgment (ECF No. 21) is **DENIED**;

4. This case is **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the report and recommendation; and
5. This matter is **DISMISSED** and **STRICKEN** from the active docket of the court.

Entered: 01-15-2019

/s/ Michael F. Urbanski

Michael F. Urbanski
Chief United States District Judge